

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL MEMORANDUM**

**HB 93 – SB 277**

March 9, 2009

**SUMMARY OF AMENDMENT (004868):** Eliminates a nursing home facility's option to perform a criminal background check on a direct care hire within seven days of employment. Defines "direct care" as any measure of care providing palliative services, medical services, or assistance in the activities of daily living to the patient which includes, but is not limited to, administering gastro-intestinal feeds, dispensing medication, supervising care given by certified nursing assistants, and performing nursing assessments to admit patients or notify physicians about a change in the patient's condition.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – Not Significant

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

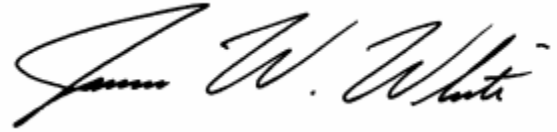
Assumption applied to amendment:

- Department of Health nursing home surveyors currently review employee records for proof of criminal background checks. Slight modifications to the review process will not result in a significant increase in expenditures.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

**HB 93 – SB 277**

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/kml